

U.S. Department of Justice



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 12, 2008

BY FACSIMILE

The Honorable Richard J. Holwell
United States District Judge
Southern District of New York
500 Pearl Street, Room 1950
New York, New York 10007

USDC SDNY
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Re: United States v. Jose V. Terrazas,
07 Cr. 776 (RJH)

Dear Judge Holwell:

Today the Court rescheduled the conference previously scheduled for tomorrow, June 13, 2008, for July 18, 2008, at 12 p.m. The Government respectfully requests that the Court exclude time from June 13, 2008 until July 18, 2008, pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(8)(A). The ends of justice served by the exclusion outweighs the best interest of the public and the defendant in a speedy trial because a ruling on the defendant's motion to dismiss, now under advisement by the Court, could potentially dispose of the charges pending against the defendant in the Indictment or affect the parties' preparation for trial and trial strategy. Accordingly, scheduling a trial date while the motion is pending would be to the disadvantage of both the Government and the defendant. Moreover, defense counsel has specifically consented to this request for the exclusion of time.

Application Granted

*This is reached under the
STA for the reasons stated*

SO ORDERED

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

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cc: Steven R. Peikin, Esq. (by facsimile)
Amy E. Howlett, Esq. (by facsimile)